1. S.B.Civil Contempt Petition No.107/2006.
Suo Moto. vs. Smt. Harbans Kaur and others.

2. S.B.Civil Contempt Petition No.151/2006.
Trilochan Singh and others. vs. Smt. Lalita.

Date : 27.2.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr. NM Lodha, AAG.
Mr. Ramit Mehta a/w Mr.S Saruparia, for the contemners.
Mr. JK Bhaiya, for the decree holder/landlord.

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Heard learned counsel for the parties.

Suo moto cognizance was taken by this Court as it was found while deciding S.B. Civil Writ Petition No.5098/2005 that the judgment debtor flouted the undertaking given by them in pursuance of the judgment of this Court dated 19.9.2003 passed in S.B. Civil Second Appeal No.221/2003.

The contemners submitted reply to the contempt petition and the contemners stated that because of litigation initiated by other party, the matter remained pending for a long period. Not only this but

the matter was taken up to Hon'ble Supreme Court and the Hon'ble Supreme Court after judgment of this Court dated 4.4.2006, whereby contempt proceedings were initiated, granted some more time to vacate the suit premises.

In view of the above fact, though there was a delay in delivery of possession to the decree holder but this Court deems fit to discharge the contemners from the contempt proceedings.

In view of the above, both these contempt petitions are dismissed and notices are discharged.

(PRAKASH TATIA), J.

S.Phophaliya